

Summary Environmental Rules Board
Indiana Government Center South
Conference Center Room A
Zoom Meeting
Indianapolis, Indiana
Wednesday, June 8, 2022

A. Call to Order

Chair Gard called the meeting to order at 1:31 p.m. A quorum was present.

Members present: Beverly Gard, Dr. Joanne Alexandrovich, Calvin Davidson, Michael Schuler, Dr. Ted Niemiec, Ken Rulon, Carrie Kozyrski, Michael Chambers, R. T. Green, Mark Wasky, Katie Nelson, Dan Bortner, and Parvonay Stover.

B. Approval of Meeting Summary of February 9, 2022

Chair Gard called for approval of the February 9, 2022, meeting summary, which was approved.

C. IDEM Reports

Commissioner's Report

Mr. Brian Rockensuess, Commissioner of IDEM, mentioned the retirement of several people within IDEM. He said the agency is still issuing permits as in the past, but there is some slowdown in the number of applicant submissions. He also discussed water and wastewater infrastructure for communities, steel mill issues, the federal definition of "Water of the United States" and PFAS.

Ms. Parvonay Stover, Chief of Staff, introduced Mr. Drake Abramson, as the new Legislative Director, Bob Lugar as the new Assistant Commissioner over the Office of Program Support and Hilary Alderete, as the new CFO.

Rules Update

Ms. Chris Pedersen, Chief, Rules Development Section (RDS), Office of Legal Counsel (OLC), spoke on the rulemakings that could come before the next Environmental Rules Board meeting, which is scheduled for September 14, 2022.

D. Rules

1. Daviess and Pike SO₂ Redesignation

Chair Gard opened the discussion for the final adoption of amendments to 326 IAC 1-4-15 and 326 IAC 1-4-64. Ms. Keelyn Walsh, Rule Writer, RDS, OLC, spoke concerning Daviess and Pike Counties SO₂. The amendment of the rule is to update the attainment designation statuses in these two counties.

There were no questions or board discussion. There were no commenters.

Mr. Rulon moved to final adopt the rule and Mr. Green seconded. By a roll-call vote, the rule was final adopted.

2. State SO₂ and Porter County Ozone Designations

Chair Gard opened the discussion for the final adoption of amendments to 326 IAC 1-4 for SO₂ and 326 IAC 1-4-65 for ozone. Ms. Keelyn Walsh, Rule Writer, RDS, OLC, spoke concerning State SO₂ and Porter County Ozone Designations. The rule is to update the attainment designation statuses for 90 of Indiana's 92 counties for SO₂ and the Porter County Ozone Designations.

There were no questions or board discussion. There were no commenters.

Ms. Nelson moved to final adopt the rule and Mr. Davidson seconded. By a roll-call vote, the rule was final adopted.

3. Landfill Emissions

Chair Gard opened the discussion for the preliminary adoption of amendments to 326 IAC 8-8.2. Ms. Keelyn Walsh, Rule Writer, RDS, OLC, spoke concerning Landfill Emissions. The rule makes changes so that the federal plan is longer in effect in Indiana. The state will continue to meeting ozone planning requirements.

There were no questions or board discussion. There were no commenters.

Ms. Nelson moved to preliminary adopt the rule and Mr. Davidson seconded. By a roll-call vote, the rule was preliminary adopted.

4. Angola Chloride Variance Revisions

Chair Gard opened the discussion for preliminary adoption of amendments to 327 IAC 2-1.5-17. Ms. Krystal Hackney, Rule Writer, RDS, OLC, spoke concerning Angola Chloride Variance Revisions. The rule is updating the City of Angola's chloride variance limits for the monthly average and daily maximum limits for the water quality standard.

There were no questions or board discussion. There were no commenters.

Mr. Rulon moved to preliminary adopt the rule and Dr. Alexandrovich seconded. By a roll-call vote, the rule was preliminary adopted.

E. Non-Rule Actions

1. Non-Rule Policy Document

Chair Gard opened the discussion for the presentation of the non-rule policy document. Mr. Michael Habeck, in the Office of Land Quality, presented the non-rule policy document on Risk-based Closure Guide.

2. Citizen's Petition

Chair Gard asked for an update on the Citizens petition. Craig Williams stated that there have been three or four meetings and the group has made excellent progress on the petition. Paul Higginbotham, Deputy Assistant Commissioner of Office of Water Quality, also said that the meetings were moving well. The group is looking into how to handle each use attainability analysis to help the smaller communities. Mr. Bill Etzler has been part of the meetings and he said that there has been a lot of information and discussion exchange between the agency and the petitioners. There are still some gaps that need to be filled in as they approach a final solution to the petition.

F. Other Matters

1. Open Forum

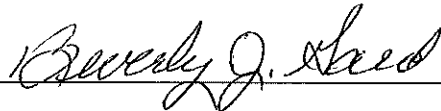
No discussion

2. Tentative Date and Location of Next Meeting

The next meeting is September 14, 2022, 1:30 p.m., Indiana Government Center-South, Conference Room A, 10 North Senate Avenue, Indianapolis, Indiana.

G. Adjournment

Chair Gard adjourned the meeting at 2:42 p.m.


CHAIRPERSON

The summary is derived from Rules Development Branch staff members' notes. A typewritten transcript of the entire meeting is on file in the Office of Legal Counsel, Indiana Department of Environmental Management and will be made available on the IDEM rules website. To view approved summaries, you may go online to <http://www.in.gov/idem/legal/2355.htm>.

